CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. 98-731

FOR
COUNTY OF KERN
KERN COUNTY WASTE MANAGEMENT DEPARTMENT

FOR
McFARLAND-DELANO SANITARY LANDFILL
KERN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. The County of Kern, Kern County Waste Management Department, (hereafter Discharger) owns and maintains a closed municipal solid waste landfill approximately 1½ miles southwest of Delano, in Section 23, T25S, R25E, M.D.B. &M, as shown in Attachments A and B, which are incorporated herein and made part of this Order.

2. On 24 March 1995, the Board adopted Order No. 95-072, which prescribes waste discharge requirements for this facility, which is classified as a Class III landfill that accepted nonhazardous solid waste in accordance with Title 23, California Code of Regulations, §2510 et seq. (Chapter 15) [subsequently incorporated into Title 27, California Code of Regulations, §20005 et seq.(Title 27)]. Waste discharge ceased on 31 July 1992. The waste management unit was closed with a Chapter 15 prescriptive standard final cover system in October 1995.

3. The landfill consists of one unlined waste management unit covering approximately 37 acres. The facility is comprised of Assessor's Parcel Number (APN) 48-220-02-00-8.

4. This Order requires the Discharger to install an adequate detection monitoring program, complete an evaluation monitoring program, and implement a corrective action program that complies with the provisions of Title 27 in accordance with a time schedule incorporated in this Order. This Order also requires the Discharger to submit assurances of financial responsibility for the initiation and completion of corrective action for all reasonable and foreseeable releases.

SITE DESCRIPTION

5. The facility is in a topographically flat region of the Tulare Lake Hydrologic Basin of the San Joaquin Valley. The native ground surface elevation is approximately 297 feet above mean sea level. The ground surface slopes approximately 10 feet per mile toward the northwest.
6. The site is on Quaternary alluvial fan deposits. The soils underlying the facility are

unconsolidated soils, consisting of interbedded sands, silty-sands, and discontinuous clay layers.

7. The hydraulic conductivity of the native soils underlying the waste management unit range between $1x10^{-4}$ and $2x10^{-6}$ cm/sec.

8. Land within 1,000 feet of the facility is used for cultivated crops and vacant land. A residence is located within 1,000 feet of the facility. A well (California State well No. 25/25-22H1) is installed approximately 250 feet northwest of the facility and provides water to the residence for domestic supply.

9. The waste management facility is within a 100-year floodplain based on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, Community-Panel Number 060075 0125B, dated 29 September 1986.

10. There are 23 municipal, domestic, industrial, or agricultural supply wells within a 1-mile radius of the site. No surface springs or other sources of groundwater supply have been observed.

11. An inactive landfill water supply well (California State well No. 25/25-23E01) is located at the southwest corner of the waste management unit. The well was drilled to a total depth of 400 feet below ground surface. A surface seal reportedly exists from the surface to 50 feet below ground surface. The remainder of the borehole is gravel packed.

12. The Board adopted the *Water Quality Control Plan for the Tulare Lake Basin, Second Edition* (hereafter Basin Plan) which designates beneficial uses and contains water quality objectives for all waters of the Basin. This Order implements the Basin Plan.

13. The first encountered groundwater is approximately 55 feet below the native ground surface. Groundwater elevations range from 238 feet M.S.L. to 240 feet M.S.L.

14. Monitoring data indicates that the groundwater is unconfined. The depth to groundwater fluctuates seasonally as much as 2 feet.

15. The direction of groundwater flow is currently toward the southeast. The average groundwater gradient is approximately 0.001 feet per foot.

16. Monitoring data collected from upgradient well MD1-11 indicates that background groundwater quality from the well has a specific electrical conductivity range from 562 to 693 micromhos/cm, with Total Dissolved Solids ranging from 404 to 465 mg/l. The quality of groundwater from the background monitoring well meets the secondary Drinking Water Standards established by the Department of Health Services for specific

electrical conductivity and Total Dissolved Solids.

17. The designated beneficial uses of the groundwater, as specified in the Basin Plan, are domestic and municipal, agricultural, and industrial supply.

18. The Discharger's detection monitoring program for groundwater at this waste management unit does not satisfy the requirements contained Title 27. Submission of a detection monitoring program was required by Item D. 1 of Monitoring and Reporting Program No. 95-072. The detection monitoring program has not been submitted by the Discharger in accordance with of Monitoring and Reporting Program No. 95-072.

GROUNDWATER POLLUTION

19. "Pollution" means an alteration of the quality of the waters of the State by waste to a degree which unreasonably affects: (1) such waters for beneficial uses, or (2) facilities which serve such beneficial uses [California Water Code, §13050 (1)]. Water quality objectives are levels of constituents that are established for the reasonable protection of beneficial uses of waters. Exceedence of water quality objectives, including Maximum Contaminant Levels, constitutes pollution.

20. Section 13304 (a) of the California Water Code states:

"Any person...who has caused or permitted...any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action..."

21. Section 13267 (b) (1) of the California Water Code states:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of discharging, or who proposes to discharge waste within its region...shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires..."

22. Downgradient monitoring wells installed for the Solid Waste Water Quality Assessment Test (SWAT) investigation, conducted in March 1987, found that the following waste constituents had polluted the groundwater: benzene, tetrachloroethene, and methylene

chloride.

23. Analyses of groundwater samples collected from on-site monitoring wells indicate that waste constituents from the landfill have polluted groundwater. Volatile organic compounds (VOCs) were first detected in March 1987. Groundwater analyses from monitoring wells from March 1987 through August 1997 have repeatedly detected the following waste constituents: benzene; chloroform; 1,4-dichlorobenzene; dichlorodifluoromethane (Freon 12); 1,1-dichloroethane; 1,1-dichloroethene; cis-1,2-dichloroethene; total 1,2-dichloroethene; trans-1,2-dichloroethene; isopropylbenzene; methylene chloride; tetrachloroethene (PCE); trichloroethene (TCE); 1,1,1-trichloroethane (1,1,1-TCA); trichlorofluoromethane (Freon 11); 1,3,5-trimethylbenzene; vinyl chloride; and total xylenes.

    The following waste constituents have been detected in the groundwater at the following concentrations below their respective water quality goal, which is the primary maximum contaminant level (MCL): chloroform at 4.4 µg/l; 1,4-dichlorobenzene at 1.8 µg/l; dichlorodifluoromethane (Freon 12) at 47.0 µg/l; 1,1-dichloroethene at 1.9 µg/l; total 1,2-dichloroethene at 8.0 µg/l; trans-1,2-dichloroethene at 7.8 µg/l; isopropylbenzene at 0.49 µg/l; 1,1,1-trichloroethane (1,1,1-TCA) at 11.6 µg/l; trichlorofluoromethane (Freon 11) at 92.0 µg/l; 1,3,5-trimethylbenzene at 0.24 µg/l; and total xylenes at 4.4 µg/l.

    The following waste constituents have been detected in the groundwater at the following concentrations which exceed their respective water quality goal, which is the primary MCL: benzene at 7.0 µg/l (MCL 1.0 µg/l); 1,1-dichloroethane at 29.0 µg/l (MCL 5.0 µg/l); cis-1,2-dichloroethene at 6.5 µg/l (MCL 6.0 µg/l); methylene chloride at 104.9 µg/l (MCL 5.0 µg/l); tetrachloroethene (PCE) at 150.0 µg/l (MCL 5.0 µg/l); trichloroethene (TCE) at 31.0 µg/l (MCL 5.0 µg/l); and vinyl chloride at 7.0 µg/l (MCL 0.5 µg/l).

24. Pursuant to Health and Safety Code §25180.7, a Proposition 65 notification was issued to the Kern County Environmental Health Services Department on 5 February 1988, for the detection of volatile organic compounds in on-site groundwater monitoring wells.

25. General mineral analysis of groundwater from downgradient monitoring wells MD1-14 and MD1-15 indicate that concentrations of alkalinity as $CaCO_3$; bicarbonate; calcium; chloride; hardness as $CaCO_3$; magnesium; potassium; sodium; sulfate; and total dissolved solids exceed concentrations from background monitoring well MD1-11. The Discharger has not determined whether the elevated concentrations demonstrate a measurably significant evidence of a release in accordance with Title 27.
26. The groundwater degradation was caused by a release(s) (discharge of waste) from the waste management unit.

27. The current plume of contaminated groundwater creates or threatens to create a condition

of pollution or nuisance.

28. California Water Code §13304 requires dischargers to cleanup waste and abate the effects of waste. Cleanup and abatement measures include corrective action measures as required under Title 27.

29. An evaluation monitoring program, initiated by the Discharger in 1989, has not been completed in accordance with Title 27.

30. The full lateral and vertical extent of groundwater degradation has not been determined. Additional groundwater sampling locations are needed to delineate the nature and extent of waste constituents in groundwater.

COMPLIANCE CONSIDERATIONS

31. The discharge of waste constituents that has caused a degradation of groundwater is a violation of Waste Discharge Requirements Order No. 95-072, Discharge Specification B.2 and B.3; and General Provisions 1, 3, and 4 of the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements for Discharges Regulated by Title 27 and/or Part 258, 17 September 1993* (hereafter Standard Provisions and Reporting Requirements), which requires that the discharge shall not create a condition of degradation or pollution.

32. The Discharger is in violation of Waste Discharge Requirements, Order No. 95-072, Receiving Water Limitations E.2 and E.4, which requires the Discharger not to exceed the water quality protection standard established pursuant to Monitoring and Reporting Program No. 95-072. Evidence of exceedence of the standard for volatile organic compounds occurs when the constituent is detected by the appropriate method. Volatile organic compounds exceeding the water quality protection standard have been repeatedly detected in the monitoring wells (see Finding Nos. 22 and 23).

33. Subsections 20385 (a) (2) and (4) of Title 27 requires the Discharger to initiate an evaluation monitoring program whenever there is significant evidence of a release from the waste management unit during a detection monitoring program, and to institute a corrective action program when the Board determines that the assessment of the nature and extent of the release and the design of a corrective action program have been satisfactorily completed. These are considered cleanup and abatement activities pursuant to California Water Code §13304. These programs must be applied to all water bearing zones affected by the release, including perched water zones.

34. An evaluation monitoring program is used to assess the nature and extent of a release from a waste management unit and to design a corrective action program in accordance with

§20430 of Title 27 [Title 27, §20425 (a)]. In assessing the nature and extent of a release from a waste management unit, the Discharger is obligated to include a determination of the spacial distribution and concentration of each constituent of concern throughout the zone affected by the release [Title 27, §20425 (b)].

35. Evaluation monitoring is required to be implemented when the detection monitoring program determines that waste constituents have leaked from the waste management unit (see Finding Nos. 22 and 23). In the case of organic compounds which are not naturally occurring, their presence in samples from detection monitoring wells is evidence of a release from the waste management unit. For naturally occurring compounds and constituents, evidence of a release is based on a measurably significant increase in their concentration(s) above the water quality protection standard.

36. Non-naturally occurring organic compounds have been continuously detected in samples from the detection monitoring wells (see Finding Nos. 22 and 23). This detection of waste constituents constitutes evidence of a release from the waste management unit. The Discharger is therefore obligated to complete an evaluation monitoring program in accordance with §20425 of Title 27 in order to determine the extent of migration of the waste constituents, to assess their potential threat to the beneficial uses of the areal groundwater, and to prepare a corrective action program in accordance with §20430 of Title 27.

37. Naturally occurring inorganic waste constituents have been continuously detected in samples from the two downgradient monitoring wells at concentrations which exceed those detected in the one background monitoring well (see Finding No. 25). This detection of waste constituents may indicate evidence of a release from the waste management unit. The Discharger needs to establish background concentration limits for each inorganic constituent of concern for use in statistical analysis of downgradient water quality data to determine whether a measurably significant evidence of a release has occurred from the waste management unit. If measurably significant evidence of a release is present, the Discharger is then obligated to initiate an evaluation monitoring program in accordance with §20425 of Title 27 in order to determine the extent of migration of the inorganic waste constituents, to assess their potential threat to the beneficial uses of the areal groundwater, and to prepare a corrective action program in accordance with §20430 of Title 27.

38. Section 20420 (k) (5) of Title 27 requires that within 90 days of determining a measurably significant evidence of a release, a discharger shall submit to the Board an amended report of waste discharge to establish an evaluation monitoring program meeting the provisions of §20425 of Title 27.

39. Section 20420 (k) (6) of Title 27 requires that within 180 days of determining a measurably significant evidence of a release, a discharger shall submit an engineering feasibility study for a corrective action program necessary to meet the requirements of §20430 of Title 27. At a minimum, the feasibility study shall contain a detailed description of the corrective action measures that could be taken to achieve background concentrations for all constituents of concern.

40. Section 20425 (b) of Title 27 requires a discharger to complete an evaluation of the nature and extent of a release from the waste management unit and to submit the assessment to the Board within 90 days of establishing an evaluation monitoring program.

41. Section 20425.9 (c) of Title 27 requires a discharger to submit an updated engineering feasibility study for corrective action based on the results of the evaluation monitoring program and an amended report of waste discharge to establish a corrective action program meeting the requirements of §20430 of Title 27 to the Board within 90 days of establishing an evaluation monitoring program.

42. An evaluation monitoring program was required to have been conducted within the regulatory time frame following the effective date of the Article 5 revisions to Title 23, California Code of Regulations, Section 2510 et seq. (Chapter 15, effective 1 July 1991) because significant evidence of a release has existed since March 1987 (see Finding Nos. 22 and 23).

43. The Discharger has not complied with the time frames contained in former Chapter 15 or Title 27 for the completion of an evaluation monitoring program and the submission of a proposed corrective action program (see Finding Nos. 40 and 41), and is therefore in non-compliance with the applicable provisions of Title 27.

44. The Discharger, being a public entity, is unable to comply with the regulatory time frames for an evaluation monitoring program as contained in Title 27 due to the time required to conduct the public bidding process and budgetary constraints. As such, the Discharger has requested an alternate time schedule by which to comply with the evaluation monitoring program requirements contained in Title 27.

45. Section 20380 (b) of Title 27 requires a discharger to obtain and maintain assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from the waste management unit.

46. The Discharger has not demonstrated that assurances of financial responsibility for

initiating and completing corrective action for all known or reasonably foreseeable releases from the waste management unit have been obtained and are being maintained (see Finding No. 45).

47. The issuance of this Order is an enforcement action by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, §21000, et seq.) in accordance with Title 14, California Code of Regulations, Section 15321 (a) (2).

48. Any person affected adversely by this action of the Board may petition the State Water Resources Control Board to review the action. The petition must be received by the State Board within 30 days of the date of issuance of this Order. Copies of the law and regulations applicable to filing the petitions will be provided on request.

49. Pursuant to §13304 of the California Water Code, the Discharger is hereby notified that the Board is entitled to, and may seek, reimbursement for all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste, and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action required by this Order. The Discharger shall reimburse the Board upon receipt of a billing statement for those costs.

50. Pursuant to §13308 of the California Water Code, if the Regional Board determines there is a threatened or continuing violation of any cleanup and abatement order issued under §13304 of the California Water Code, the Board may issue an order establishing a time schedule and prescribing a civil penalty which shall become due if compliance is not achieved in accordance with that time schedule. The amount of the civil penalty shall be based upon the amount reasonably necessary to achieve compliance. The amount of the penalty may not exceed ten thousand dollars ($10,000) for each day in which the violation occurs.

51. Any person who fails to achieve compliance in accordance with the schedule established in an order issued pursuant to §13304 of the California Water Code shall be liable civilly in an amount not to exceed the amount prescribed by statute.

IT IS HEREBY ORDERED that, pursuant to §§13267(b) and 13304(a) of the California Water Code, The County of Kern, Kern County Waste Management Department, its agents, successors, and assigns, shall comply with the following tasks and time schedules. All work outlined below shall be performed under the direction of a California registered civil engineer or California registered geologist, as appropriate. Supporting data and rationale shall be submitted for each proposed plan. All plans and time schedules are subject to review and approval by the Executive Officer. Submitted time schedules become part of this Order once approved or revised by the Executive Officer.

All monitoring wells and all other borings drilled to satisfy the requirements of Title 27 shall be logged during drilling under the direct supervision of a California registered geologist. Copies of all well logs shall be submitted to Board staff upon completion of drilling.

DETECTION MONITORING PROGRAM

1. By **30 November 1998**, the Discharger shall submit for Executive Officer approval or modification, a work plan and time schedule for completing a detection monitoring program for the waste management unit. The proposed detection monitoring program work plan shall include the following, along with supporting rationale and justification:

    a. A proposed Point of Compliance in accordance with §20405 of Title 27.

    b. The proposed installation of a sufficient number of Background Monitoring Points installed at appropriate locations and depths to yield groundwater samples from the uppermost aquifer(s) that represent the quality of groundwater that has not been affected by a release from the unit.

    c. The proposed installation of a sufficient number of Point of Compliance Monitoring Points installed at appropriate locations and depth(s) to yield groundwater samples from the uppermost aquifer(s) that represent the quality of groundwater passing the Point of Compliance and to allow for the detection of a release from the unit.

    d. A proposed Sample Collection and Analysis Plan.

    e. A proposed Water Quality Protection Standard pursuant to §20390 of Title 27. The Water Quality Protection Standard shall include concentration limits for each constituent of concern established in accordance with a data analysis method that meets the applicable criteria of §20415(e) of Title 27.

    f. A proposed statistical method for determining whether there is a measurably significant evidence of a release for all inorganic constituents of concern and monitoring parameters.

    g. A proposed date by which the results of the completed evaluation of the statistical method on all constituents of concern and monitoring parameters is reported to the Executive Officer.

EVALUATION MONITORING PROGRAM

2. **By 30 November 1998,** the Discharger shall submit a time schedule for the completion

of an evaluation monitoring program that meets the provisions of §20425 (b) of Title 27.

3. Within **180 days** of Executive Officer approval of the submitted evaluation monitoring work plan, the Discharger shall initiate the evaluation monitoring program in accordance with the approved work plan and time schedule.

4. The Discharger shall submit a completed evaluation monitoring report in accordance with the time schedule approved pursuant to Order No. 2 above. The report, completed pursuant to §20425(b) of Title 27, shall include, but not be limited to, the following information:

   a. An analysis of all the information gathered to assess the nature and extent (lateral and vertical) of the release from the waste management unit, including how a determination of the spacial distribution and concentration of each constituent of concern throughout the zone affected by the release was accomplished.

   b. A table listing the constituents of concern that includes the proposed concentration limit for metals and general water quality parameters based on a statistical evaluation of background concentrations of these parameters.

   c. The water quality protection standard for evaluation monitoring based on a sufficient number of background monitoring points that represent the quality of groundwater (organic and inorganic compounds) in the uppermost aquifer that has not been affected by a release from the waste management unit in accordance with §20415 (b) (1) (A) and §20415 (b) (2) of Title 27.

   d. An evaluation of the landfill water supply well to determine whether it could lead to the migration of waste constituents into a lower aquifer.

   e. Any proposed changes to the water quality monitoring systems at the facility necessary to meet the provisions of §20425 of Title 27.
   f. Any proposed additions or changes to the monitoring frequency, sampling and analytical procedures or methods, or statistical methods used at the facility necessary to meet the provisions of §20425 of Title 27.

5. Within **120 days** of the Executive Officer's concurrence that the nature and extent (lateral and vertical) of the release from the waste management unit has been determined, the Discharger shall submit, pursuant to §20425 (c) of Title 27, an updated engineering feasibility study for corrective action necessary to meet the requirements of §20430 of Title 27. At a minimum, the feasibility study shall contain a detailed description of the corrective action measures that could be taken to achieve background concentrations for all constituents of concern.

6. The discharger shall report to Board staff, in writing, the status of progress of the evaluation monitoring program. The Discharger shall submit these reports quarterly. More frequent reporting may be required as necessary to ensure the protection of human health or the environment.

CORRECTIVE ACTION PROGRAM

7. Within **120 days of Executive Officer approval** of the engineering feasibility study, the Discharger shall submit a plan and proposed time schedule to cleanup and abate the effects of all contaminants discharged to soil and groundwater at the site. The Discharger shall establish a corrective action program pursuant to §20425 (d) of Title 27 that meets the requirements of §20430 of Title 27. The report shall include, but not be limited to, the following:

   a. A detailed assessment of the nature and extent of the release from the waste management unit;

   b. A proposed water quality protection standard in accordance with §20400 of Title 27, and all data necessary to justify each such limit;

   c. A detailed description of proposed corrective action measures that will be taken to achieve compliance with the water quality protection standard proposed for the corrective action program; and

   d. A plan for a water quality monitoring network that will demonstrate the effectiveness of the proposed corrective action.

8. The Discharger shall take corrective action in accordance with the approved time schedule to cleanup and abate releases from the waste management unit and to ensure that the waste management unit achieves compliance with the water quality protection standard pursuant to §20390 of Title 27.

9. The Discharger shall implement corrective action measures, meeting the requirements of §20430 of Title 27, that ensure that constituents of concern achieve their respective concentration limits at all monitoring points and throughout the zone affected by the release, including any portions thereof that extend beyond the facility boundary, by removing the waste constituents or treating them in place. The Discharger shall take other action approved by the Executive Officer to prevent noncompliance with those limits due to a continued or subsequent release from the waste management unit, including but not limited to, source control.

10. Methane and other landfill gases shall be adequately vented, removed from the waste management unit, or otherwise controlled to prevent adverse health effects, nuisance conditions, or the impairment of the beneficial uses of surface water of groundwater due to migration through the vadose (unsaturated) zone.

11. The Discharger shall establish and implement a water quality monitoring program to demonstrate the effectiveness of the corrective action program. Such a monitoring program shall be based on the requirements for an evaluation monitoring program under §20425 of Title 27, and shall be effective in determining compliance with the water quality protection standard under §20390 of Title 27, and in determining the success of the corrective action measures pursuant to §20430 (c) of Title 27.

12. Cleanup and abatement measures taken without specific dates specified in this Order shall be initiated and completed by the Discharger within a period of time specified by the Executive Officer.

13. The Discharger shall submit a report on the effectiveness of the corrective action program. The Discharger shall submit these reports **quarterly**. More frequent reporting may be required as necessary to ensure the protection of human health or the environment.

14. If the Discharger determines that the corrective action program does not satisfy the provisions of this Order, the Discharger shall, within **60 days** of making the determination, submit a time schedule for completion of appropriate changes to the program.

15. Any time the Executive Officer determines that the corrective action program does not satisfy the requirements of this Order, the Discharger shall, within **60 days** of receiving written notification of such determination by the Executive Officer, submit a time schedule for completion of appropriate changes to the program.

16. Corrective action measures taken pursuant to §20430 (c) of Title 27 may be terminated when the Discharger demonstrates to the satisfaction of the Executive Officer that the concentrations of all constituents of concern are reduced to levels at or below their respective concentration limits established with the water quality protection standard under §20390 or §20400 (c) of Title 27.

17. After suspending the corrective action measures, the facility shall remain in the corrective action program until the Discharger demonstrates to the satisfaction of the Board that the landfill is in compliance with the water quality protection standard. The demonstration shall be based on the criteria contained in §20430 (g) (1) and (2) of Title 27.

OTHER COMPLIANCE CONSIDERATIONS

18. By **30 September 1999, and 30 April of each year thereafter**, the Discharger shall submit for Executive Officer review and approval, plans with detailed cost estimates and a demonstration of assurances of financial responsibility for initiating and completing corrective action for all known and reasonably foreseeable releases from the waste management unit. The Discharger shall provide the assurances of financial responsibility to the California Integrated Waste Management Board as required by Title 27 CCR, Division 2, Subdivision 1, Chapter 6. The assurances of financial responsibility shall provide that funds for corrective action shall be available to the Regional Board upon the issuance of any order under California Water Code, Division 7, Chapter 5. The Discharger shall adjust the cost annually to account for inflation and any changes in the post-closure maintenance of the facility.

TASK LIST

19. The Discharger shall complete the tasks outlined in this Cleanup and Abatement Order in accordance with the following time schedule:

Task	Compliance Date
a. Submit for Executive Officer approval or modification, a work plan and time schedule for completing a detection monitoring program. (Order No. 1 above)	**30 November 1998**
b. Submit a time schedule for completing an evaluation monitoring program. (Order No. 2 above)	**30 November 1998**

Task	Compliance Date
c. Initiate the evaluation monitoring program in accordance with the approved work plan and time schedule. (Order No. 3 above)	**Within 180 days of approval of the work plan and time schedule**
d. Submit a completed evaluation monitoring program. (Order No. 4 above)	**In accordance with the approved time schedule for completion of the evaluation monitoring**

		program
e.	Submit an engineering feasibility study for a corrective action program. (Order No. 5 above)	**Within 120 days of concurrence that the nature and extent of the release has been determined**
f.	Submit a plan and time schedule to establish a corrective action program. (Order No. 7 above)	**Within 120 days of approval of the engineering feasibility study**
g.	Implement a corrective action program. (Order No. 8 above).	**In accordance with the approved corrective action time schedule**
h.	Vent methane and other gases from the waste management unit. (Order No. 10 above)	**To be implemented in accordance with the approved corrective action plan**
i.	Submit for Executive Officer approval, assurances of financial responsibility for initiating and completing corrective action for all reasonable and foreseeable releases. (Order No. 18 above)	**30 September 1999, and annually by 30 April thereafter**

If, in the opinion of the Executive Officer, the Discharger violates this Order, the Executive Officer may issue a complaint for Administrative Civil Liability or request the Board to refer the matter to the Attorney General for judicial enforcement.

GARY M. CARLTON, Executive Officer

by: _____
LOREN J. HARLOW, Assistant Executive Officer

DATED: 14 October 1998

RCS:rcs/rac